

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**CHRISTOPHER TURNER, #11047404,**

Petitioner,

v.

**LUPE VALDEZ, Dallas County Sheriff,**

Respondent.

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**3:12-CV-0744-L (BK)**

**(consolidated with 3:12-CV-0745-L**

**3:12-CV-0746-L & 3:12-CV-0747-L)**

**ORDER**

Before the court are Christopher Turner's ("Turner" or "Petitioner") *pro se* petitions for writ of habeas corpus,<sup>\*</sup> filed March 13, 2012, pursuant to 28 U.S.C. § 2241(c). The case was referred to Magistrate Judge Renee Harris Toliver, who entered Findings, Conclusions and Recommendation of the United States Magistrate Judge ("Report") on May 3, 2012, recommending that Turner's habeas petitions be dismissed without prejudice for failure to exhaust state court remedies. No objections were filed to the Report.

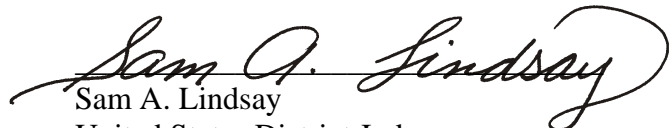
Having reviewed the pleadings, file, and record in this case, and the findings and conclusions of the magistrate judge for plain error, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **denies** Turner's petitions for writ of habeas corpus, and **dismisses** this action **without prejudice**.

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<sup>\*</sup> Turner's petitions were filed under Civil Action No. 3:12-cv-00744 (Doc. 2), filed March 13, 2012; Civil Action No. 3:12-cv-00745 (Doc. 3), filed March 13, 2012; Civil Action No. 3:12-cv-00746 (Doc. 3), filed March 13, 2012; and Civil Action No. 3:12-cv-00747 (Doc. 3), filed March 13, 2012. The cases were consolidated under Civil Action No. 3:12-cv-00744 on March 28, 2012.

Because Petitioner filed his petitions under 28 U.S.C. § 2241, he is not required to obtain a certificate of appealability to proceed on appeal. *Padilla v. United States*, 416 F.3d 424, 425 (5th Cir. 2005) (*per curiam*). The court, however, **certifies** that any appeal of this action would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3). Based on the Report, the court finds that any appeal of this action would present no legal point of arguable merit and would, therefore, be frivolous. *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983).

**It is so ordered** this 24th day of May, 2012.

  
Sam A. Lindsay  
United States District Judge